

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In Re:

LUEDTKE ENGINEERING CO.,
as owner of the TUG KURT LUEDTKE
and the SCOW 17,

Case No. 2:05-CV-74772
Judge: Paul D. Borman

Susan Grout,

Claimant,

Luedtke Engineering Co.,

Third-Party Plaintiff,

v.

AAA Sling Industrial Supply, Inc., et al,

Third-Party Defendants,

AAA Sling Industrial Supply, Inc.,

Cross-Claimant,

v.

Wire Rope Corporation of America, et al,

Cross-Defendants.

**ORDER APPROVING SETTLEMENT AUTHORIZING DISTRIBUTION OF
PROCEEDS and FOR DISMISSAL**

This cause having been resolved by way of settlement/facilitation on July 18,
2008, and settlement being put on the record on this date, and notice having been given to
all potential Claimants to said proceeds; the Court finding that the acceptance of this

settlement offer to be in the best interests of the Estate and in the best interests of the minors and those involved; the Court noting that Claimant's decedent died of blunt head trauma; the Court being fully advised in the premises, states as follows:

IT IS HEREBY ORDERED and ADJUDGED that the settlement in the amount of \$945,000.00 in this case is approved, said settlement to include all costs, interests, and attorney fees;

IT IS HEREBY ORDERED and ADJUDGED that this Court has duly considered any pain and suffering of the deceased, the loss of support sustained by the decedent's family members in determining how to distribute the net proceeds, and the Court specifically finds that there will be no payment made to the Estate for conscious pain and suffering, and the proceeds shall be distributed with regards to loss of support only;

IT IS HEREBY ORDERED and ADJUDGED that the medical, funeral, and burial expenses of the decedent which the Estate is liable for have been paid;

IT IS HEREBY ORDERED and ADJUDGED that Susan Grout, Personal Representative of the Estate of Charles Grout, deceased, is hereby authorized and directed to execute any and all documents necessary to settle this claim in the gross amount of \$945,000.00;

IT IS HEREBY ORDERED and ADJUDGED that the costs and attorney fees charged and recovered by the law firm of OBRYAN BAUN COHEN KUEBLER KARAMANIAN are hereby approved as being reasonable and necessary for the prosecution of this cause on behalf of the Estate;

IT IS HEREBY ORDERED and ADJUDGED that the \$945,000.00 in gross

proceeds shall be distributed as follows:

- a. The law firm of OBRYAN BAUN COHEN KUEBLER KARAMANIAN be reimbursed for costs advanced with respect to this case in the amount of \$10,837.17;
- b. The law firm of OBRYAN BAUN COHEN KUEBLER KARAMANIAN be paid \$311,387.61 as an attorney fee for representing the Claimant and the Estate;
- c. That Claimant, Susan Grout, individually receive \$472,775.22;
- d. That Defendant make periodic payments to Charles Grout, III, a minor, to be funded through the purchase of a structured settlement annuity costing \$150,000.00, which will be paid as follows:
 - \$53,728.43 on 11/14/2015
 - \$45,205.37 on 01/14/2019
 - \$71,542.93 on 11/14/2019
 - \$58,682.56 on 01/14/2023
 - \$77,308.63 on 01/14/2027
- e. That Defendant and/or their insurer will make a qualified assignment of its obligation to make the periodic payments to AMERICAN GENERAL ANNUITY SERVICE CORPORATION Assignee. The Assignee will then fund its obligation to make the periodic payments through the purchase of an annuity from AMERICAN GENERAL LIFE INSURANCE COMPANY. The structured settlement annuity will be placed by WHITE HOUSE FINANCIAL & SETTLEMENT CONSULTING, LLC.

FINALLY, IT IS HEREBY ORDERED and ADJUDGED that all claims herein against Petitioner/Defendant are hereby dismissed with prejudice and without costs, and an accounting shall be filed with the Probate Court showing no money received as a result of this cause of action, there being no assets passing directly through the Estate.

s/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: August 12, 2008

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on August 12, 2008.

s/Denise Goodine
Case Manager